

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED THERAPEUTICS)
CORPORATION,)
Plaintiff,)
v.) C.A. No. 23-975 (RGA)
LIQUIDIA TECHNOLOGIES, INC.,)
Defendant.)

CLAIM CONSTRUCTION ORDER

Having considered the parties' Joint Claim Construction Brief (D.I. 123) and supplemental submissions (D.I. 133, 134, 139), and the arguments contained therein, and hearing oral argument on September 30, 2024;

IT IS HEREBY ORDERED THAT, as used in the asserted claims of U.S. Patent No. 11,826,327 (the “‘327 patent”), the terms below have the following meanings:

Term	Construction
“A method of improving exercise capacity in a patient having pulmonary hypertension associated with interstitial lung disease” ’327 patent, claim 1	This preamble is limiting, as agreed by the parties
“a”/“the” in the following terms: “a patient,” “the patient,” “a maximum tolerated dose,” “a single administration event,” “the administering,” and “the single inhalation administration event” ’327 patent, claims 1-5, 8-10, and 15-19	“one or more”
“maximum tolerated dose” ’327 patent, claim 1	plain and ordinary meaning; not indefinite
“pulsed inhalation device” ’327 patent, claims 11 and 14	“a device that provides for non-continuous inhaled drug delivery”

SO ORDERED this 21 day of October, 2024.

/s/ Richard G. Andrews

UNITED STATES DISTRICT JUDGE